



REPUBLIC OF KENYA



**Mbala v Republic (Miscellaneous Criminal Application E085 of 2022)
[2022] KEHC 15581 (KLR) (18 November 2022) (Ruling)**

Neutral citation: [2022] KEHC 15581 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E085 OF 2022
RE ABURILI, J
NOVEMBER 18, 2022**

BETWEEN

GEORGE OPIYO MBALA APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for leave to file an Appeal from Siaya HCR E032 of 2021)

RULING

1. The application dated 18/7/2022 to appeal out of time is allowed as the delay is not inordinate. However, the applicant convict shall pay for the proceedings and judgment and for the preparation of the record of appeal to the Court of Appeal by paying into court any requisite court fees as shall be assessed.
2. The Notice of appeal as filed out of time on 18/7/2022 is deemed to be duly filed.
3. The applicant to serve the same upon the ODPP, Kisumu for their records.
4. The Deputy Registrar to transmit that Notice of appeal together with this Ruling to Deputy Registrar Kisumu Court of Appeal forthwith.
5. This file is closed.
6. I so order.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 18TH DAY OF NOVEMBER, 2022

R.E. ABURILI

JUDGE

